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| 10/586,662 | 07/19/2006 | Mitsunari Kojima | 050070-0111 | 7332 |
| 20277 7590 11/17/2008 MCDERMOTT WILL & EMERY LLP 600 13TH STREET, N.W. WASHINGTON, DC 20005-3096 | | | | |
| EXAMINER | | | | |
| MAHASE, PAMESHANAND | | | | |
| ART UNIT | | PAPER NUMBER | | |
| 4146 | | | | |
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/586,662

Applicant(s)

KOJIMA ET AL.

Examiner

PAMESHANAND MAHASE

Art Unit

4146

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/19/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 19 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/CI/CD)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____
- Paper No(s)/Mail Date 7/14/2008

DETAILED ACTION

1. Claims 1-7 are presented for examination.

Foreign Priority

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been received on 7 April 2008.

Specification

3. The disclosure is objected to because of the following informalities:
 - “_:_” in line 3 of the first paragraph of the Background Art should be changed to “_:_”
 - A comma should be placed between “_:_” and “_or_” in line 9 of the first paragraph under Background Art
 - The first sentence of the third paragraph on page 3 is incomprehensible. Consider revising.
 - The first sentence of the first paragraph on page 4 is incomprehensible. Consider revising.
 - The first sentence of the fourth paragraph on page 4 is incomprehensible. Consider revising.
 - The first sentence of the fifth paragraph on page 4 is incomprehensible. Consider revising.

- A comma should be placed between "_and_" and "_4b_" in the second to last line of the first paragraph on page 6.
- A comma should be placed between "_and_" and "_4a_" in the last line of the first paragraph on page 6.

Appropriate corrections are required.

4. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

5. The abstract of the disclosure is objected to because “_means_” is used in lines 3, 5, and 12. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-3 and 5-6 are rejected under 35 U.S.C. 102(e) as being taught by U.S. Application 2003/0130822 to Steele.

As to claim 1 with regard to *a pulse generating device comprising:*

- *control means for receiving vehicle speed information or wheel speed (Steele, paragraph 0004) information via a multiplex communication line from a control device (Steele, paragraph 0029) mounted on a vehicle, and for generating, based on said vehicle speed information or said wheel speed information (Steele, paragraph 0033), a predetermined pulse signal that can be used for an information display device (Steele, paragraph 0038) mounted on said vehicle;*

- *and output means (Steele, paragraph 0008) for outputting said pulse signal generated by said control means, to said information display device,*

Steele discloses a means for determining wheel and vehicle speed (Steele, paragraphs 004, 0033), a multiplexer to send vehicle data information to the control unit (Steele, paragraph 0029), a display device (Steele, paragraph 0038), and an output means for the data signals (Steele, paragraph 0008).

As to claim 2 with regard to *a pulse generating device according to claim 1, wherein said control means and said output means belong to a vehicle display apparatus for displaying the running information of said vehicle*, Steele discloses a display device that displays vehicle information (Steele, paragraphs 0010, 0031).

As to claim 3 with regard to *a pulse generating device according to claim 1 or 2, wherein said control means outputs said pulse signal according to the running state of said vehicle*, Steele discloses a data output stream from the control unit (Steele, paragraph 0037).

As to claim 5 with regard to *a vehicle display apparatus for displaying vehicle information, including a pulse generating device comprising:*

- *at least control means for receiving vehicle speed information or wheel speed information (Steele, paragraph 0004) via a multiplex*

- communication line (Steele, paragraph 0029) from a control device (Steele, paragraph 0029) mounted on a vehicle,*
- *and for generating, based on said vehicle speed information or said wheel speed information (Steele, paragraph 0004), a predetermined pulse signal that can be used for an information display device (Steele, paragraph 0008) mounted on said vehicle;*
 - *and output means (Steele, paragraph 0008) for outputting said pulse signal generated by said control means, to said information display device (Steele, paragraph 0008),*

Steele discloses a means for determining wheel and vehicle speed (Steele, paragraphs 004, 0033), a multiplexer to send vehicle data information to the control unit (Steele, paragraph 0029), a display device (Steele, paragraph 0038), and an output means for the data signals (Steele, paragraph 0008).

As to claim 6 with regard to a *vehicle display apparatus according to claim 5, wherein said control means outputs said pulse signal according to the running state of said vehicle*, a Steele discloses a data output stream containing vehicle information from the control unit (Steele, paragraph 0037).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Application 2003/0130822 to Steele in view of U.S. Application 2003/0234550 to Brooks et al.

As to claim 4 with regard to a *pulse generating device according to claim 1, wherein said information display device is a navigation unit*, Steele discloses a control unit that outputs a stream of data (Steele, paragraph 0037), a means for determining wheel and vehicle speed (Steele, paragraphs 004, 0033), a multiplexer to send vehicle data information to the control unit (Steele, paragraph 0029), a display device (Steele, paragraph 0038), and an output means for the data signals (Steele, paragraph 0008). However, Steele fails to disclose a display device that is also a navigation unit. In the same field of endeavor, Brooks et al. discloses a display device that is also a navigation device which contains a mobile productivity center that allows the driver to control his cellular phone, PDA, or other wireless paraphernalia for hands-free communication. (Brooks et al., paragraph 0029). It would be obvious to one with ordinary skill in the art to combine the control unit of Steele with the navigation display device of Brooks et al. to have the control unit receive vehicle information, output a control

signal, and function as a navigation device that allows the driver to have hands-free access to his wireless communication devices.

As to claim 7 with regard to a *vehicle display apparatus according to claim 5, wherein said information display device is a navigation unit*, Steele discloses a control unit that outputs a stream of data (Steele, paragraph 0037), a means for determining wheel and vehicle speed (Steele, paragraphs 004, 0033), a multiplexer to send vehicle data information to the control unit (Steele, paragraph 0029), a display device (Steele, paragraph 0038), and an output means for the data signals (Steele, paragraph 0008). However, Steele fails to disclose a display device that is also a navigation unit. In the same field of endeavor, Brooks et al. discloses a display device that is also a navigation device which contains a mobile productivity center that allows the driver to control his cellular phone, PDA, or other wireless paraphernalia for hands-free communication. (Brooks et al., paragraph 0029). It would be obvious to one with ordinary skill in the art to combine the control unit of Steele with the navigation display device of Brooks et al. to have the control unit receive vehicle information, output a control signal, and function as a navigation device that allows the driver to have hands-free access to his wireless communication devices.

Prior Art

10. The prior art made of record and not relied upon is considered pertinent to the applicant's disclosure. U.S. Application 2003/0236102 to Kawai et al. discloses a portable electronic apparatus that includes a display part that displays information. U.S. Application 2003/0234764 to Noguchi et al. discloses an input apparatus for vehicle-installed instruments. U.S. Application 2003/0231208 to Hanon et al. discloses an interface that allows the user to select from a variety of modes.

Conclusion

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAMESHANAND MAHASE whose telephone number is (571)270-7223. The examiner can normally be reached on Monday-Friday 8:00AM - 5:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ramesh Patel can be reached on 571-272-3688. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center

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(EBC) at 866-217-9197 (toll-free)? If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Pameshanand Mahase/

November 10, 2008

/Ramesh B. Patel/

Supervisory Patent Examiner, Art Unit 4146